

ORIGINAL RECEIVED

DEC 21 2005

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission
RAIL SAFETY SECTION

Illinois Department of Transportation

Petitioner,

v.

Union Pacific Railroad Company, CST Transportation, Inc.
and Canadian National/Illinois Central Railroad Company

Respondents.

Docket No. T05-0064

Petition for authorization to replace the existing grade separation structure carrying US Route 45 (FAS Route 1671) over the tracks of the Union Pacific Railroad Company and CSX Transportation, Inc. and used by the Canadian National/Illinois Central Railroad Company and allocate costs for the replacement of the structure between the parties.

RESPONSE TO PETITION

Now come Illinois Central Railroad Company ("IC") with its Response to the Petition for Replacement of a Grade Separation Structure and states as follows:

1. Admit.
2. Admit.
3. Admit.
4. Admit, except to say IC's address is 17641 S. Ashland Avenue, Homewood, Illinois, 60430.
5. Admit.
6. Admit.
7. Admit.
8. IC lacks sufficient information to admit or deny the allegation in Paragraph 8 of the Petition.
9. IC admits that the documents contained in Illinois Commerce Commission Docket #13845 speak for themselves.
10. IC admits that the documents contained in Illinois Commerce Commission Docket #58131 speak for themselves.

DOCKETED

DEC 27 2005

11. IC lacks sufficient information to admit or deny the allegations in Paragraph 11 of the Petition.
12. IC lack sufficient information to admit or deny the allegation in Paragraph 12 of the Petition.
13. IC lacks sufficient information to admit or deny the allegation in Paragraph 13 of the Petition.
14. IC lacks sufficient information to admit or deny the allegation in Paragraph 14 of the Petition.
15. IC lacks sufficient information to admit or deny the allegation in Paragraph 15 of the Petition.
15. IC lacks sufficient information to admit or deny the allegation in Paragraph 15 of the Petition.
16. IC lacks sufficient information to admit or deny the allegation in Paragraph 16 of the Petition.
17. IC lacks sufficient information to admit or deny the allegation in Paragraph 17 of the Petition.
18. IC lacks sufficient information to admit or deny the allegation in Paragraph 18 of the Petition.
19. IC lacks sufficient information to admit or deny the allegation in Paragraph 19 of the Petition.
20. IC lacks sufficient information to admit or deny the allegation in Paragraph 20 of the Petition.
21. IC lacks sufficient information to admit or deny the allegation in Paragraph 21 of the Petition.
22. IC lacks sufficient information to admit or deny the allegation in Paragraph 22 of the Petition.
23. IC lacks sufficient information to admit or deny the allegation in Paragraph 23 of the Petition.
24. IC lacks sufficient information to admit or deny the allegation in Paragraph 24 of the Petition.
25. IC lacks sufficient information to admit or deny the allegation in Paragraph 25 of the Petition.

WHEREFORE, IC, respectfully requests that the Commission:

- a) Set this matter for hearing;
- b) Provide such other and further relief as the Commission deems just and appropriate.

ILLINOIS CENTRAL RAILROAD COMPANY

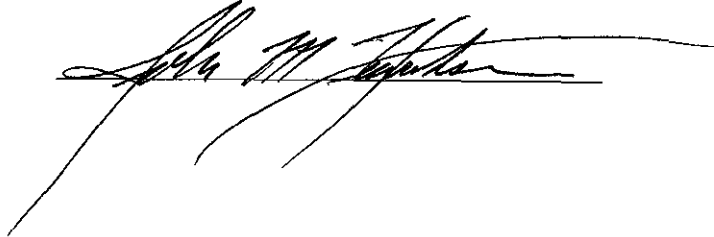
By: 
Attorney for
Illinois Central Railroad Company

Dated: 12-20-05

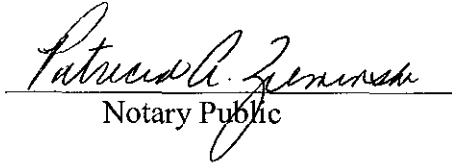
Michael J. Barron, Jr.
Fletcher & Sippel
29 N. Wacker Drive, Suite 920
Chicago, IL 60606-2832
Telephone: 312-252-1511
FAX: 312-252-2400
ARDC# 6228809

VERIFICATION

I, John Henriksen, Manager Public Works of the Illinois Central Railroad Company, under penalties as provided by law pursuant to Section 1-109 of the code of Civil Procedure, certify that the statements set forth herein are true and correct.



Subscribed and sworn to
before me this 20th day of
December, 2005


Notary Public

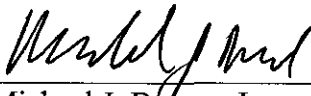
Illinois Department of Transportation)
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 Petitioner,)
)
)
 v.) Docket No. T05-0064
)
 Union Pacific Railroad Company, CST Transportation, Inc.)
 and Canadian National/Illinois Central Railroad Company)
)
 Respondents.)
)

NOTICE OF FILING

Mr. Thomas M. Benson
Special Assistant Attorney General
2300 S. Dirksen Pkwy, Room 300
Springfield, IL 62764

PLEASE TAKE NOTICE that we have on this 20th day of December, 2005, sent for filing with the Illinois Commerce Commission, the attached Response to Petition the Docket in the above captioned matter, a copy of which is hereby served upon you.

ILLINOIS CENTRAL RAILROAD COMPANY

By: 
Michael J. Barron, Jr.
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Telephone: 312-252-1511
FAX: 312-252-2400
ARDC# 6228809

CERTIFICATE OF SERVICE

The undersigned certifies that copies of the foregoing instrument was served upon the addresses listed below by mailing true and correct copies via First Class U.S. Mail, postage thereon fully prepaid and depositing the same in the United States Mail, Homewood, Illinois, this 20th day of December, 2005.

Mr. Hal Gibson
Principal Engineer Public Improvements
CSX Transportation
Liberty Business Park
Engineering Department, J-350
4901 Belfort Road, Suite 130
Jacksonville, FL 32256

Mr. Joe E. Bippus
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Mr. Mark S. Hoffman
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Mr. Mack H. Shumate Jr.
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